

**From:** Brenner Adams  
**To:** Microsoft ATR  
**Date:** 1/21/02 1:18pm  
**Subject:** Microsoft Settlement

5318 Avalon Drive

Murray, UT 84107-6220

January 18, 2002

Attorney General John Ashcroft

Pennsylvania Avenue, NW

Washington, DC 20530-0001

Dear Mr. Ashcroft:

Yo wassup? Last November, following a six-month period of round-the-clock negotiations supervised by a court-appointed mediator, Microsoft and the Department of Justice reached a settlement in the Microsoft antitrust suit. The case has spent three long years in the federal courts, and now, as the settlement review period draws to a close, I fear the agreement will be thrown out. Nine states, including Utah, are currently seeking to overturn the settlement and to bring further litigation against the Microsoft Corporation. I do not feel that this is the appropriate course of action to take. Both the defendant and the plaintiffs are dealt with justly under the terms of the agreement, and I can find no reason for further action to be taken on the federal level.

The settlement binds Microsoft to compliance with a broad range of restrictions and affirmative obligations, some of which extend to services and software that the Court of Appeals did not determine to be unlawful. Microsoft agreed to these terms in the interest of expediting case closure. Under the agreement, Microsoft is prevented from entering into any contracts that would require a third party to exclusively market or distribute Microsoft products. Moreover,

Microsoft has agreed to furnish any party acting under the terms of the settlement with a license to applicable intellectual property rights to prevent infringement. The settlement thoroughly addresses all of the concerns brought to the attention of the Justice Department by the plaintiff states. I can only imagine that the motivation behind the litigation on the part of the plaintiffs is less than altruistic.

The economy has suffered while the Microsoft and the various plaintiffs have been tied up in this court battle, and the American public has likewise felt the effects. The IT industry has stagnated as well, and no good can come of extended suit. I believe it is in the best public interest for the case to be settled, Mr. Ashcroft. I urge you to support the agreement.

Sincerely,

Brenner Adams